

TOWN OF NANTUCKET / COUNTY ROADS AND RIGHTS OF WAY COMMITTEE

DRAFT MINUTES
August 7, 2007

CALL TO ORDER

Chairman Allen Reinhard called the meeting to order at 4:00 on Tuesday, August 7, 2007 with a quorum present at 2 Fairgrounds Roads. In attendance were: D. Anne Atherton, Nat Lowell, Sylvie O'Donnell, John Stackpole and Harvey Young. Planning Director Andrew Vorce was also present. Charles Sayle III was unable to attend because of the press of business. It was noted that newly appointed member, D. Anne Atherton, had been duly sworn in by Town Clerk.

APPROVAL OF MINUTES

The minutes of the July 19 meeting were approved as distributed.

COMMITTEE ORGANIZATION

The following slate of officers for the coming year was presented to the Committee by Chairman Reinhard:

Allen Reinhard, Chairman
Charles Sayle III, Vice Chairman
D. Anne Atherton, Secretary / Treasurer

Chairman Reinhard informed the Committee that Mr. Sayle agreed to coordinate website information for the Committee. Mr. Reinhard stated that, as Chairman, his focus would be the ROW Improvement Plan. He sees this as an opportunity to be proactive, especially in regard to completing a map of public and private roads and rights of ways, as the ROW Committee coordinates its efforts with the priorities of the Board of Selectmen.

Motion Adopted: Following brief discussion, and with no further nominations, Mr. Stackpole moved adoption of the Slate of Officers. Ms. O'Donnell seconded. The motion was approved unanimously.

REVIEW AND ADOPTION OF MISSION STATEMENT

The mission statement for the ROW Committee, originally written by Nancy Oliver in the 90s, had been recently modified, with minor changes. The Committee reviewed the statement again. It was understood that, once confirmed, the mission statement would be submitted to the BOS and County Commissioners (CC) for their review.

Motion Adopted: After brief discussion, Mr. Stackpole moved adoption of the Mission Statement. Mr. Lowell seconded. The motion was approved unanimously. [Text of Mission Statement affixed to Minutes as Attachment.]

UPDATES

Discussion ensued about a number of matters within the purview of the Committee.

Spruce Street: Mr. Vorce reported that a new fence is being erected. He met with John Smith of the Department of Public Works (DPW) who is cleaning out brush and cutting back an intruding Russian Olive tree. Unfortunately in terms of public access, Marine Home Center has installed a fence on their side of the line, making it difficult, if not impossible for a vehicle to turn around. Options to address this situation were discussed, including the eventual establishment of a permanent easement. Contact will be made with Dennis Gazaille of Marine Home Center.

BOS Goals and Objectives: The Boards Goals and Objectives for 2007 are a work in progress. They are giving serious consideration to the development of a Harbor Walk. At present, there is no way to get to the Creeks, as there are few access points in this area. Opposition to increased public access has been raised by the Friends of the Creeks, who have cited environmental reasons for their concern. It was suggested that perhaps the Committee should invite representatives from Friends of the Creeks (Pat Loring) to meet to discuss this matter.

Chapter 91: Mr. Reinhard reported that the DEP is close to reaching a determination in regard to the GHYC Chapter 91 License. It is his understanding that the license will address the 13 points contained in the BOS Comment Letter of January 8, 2007. Of paramount concern to the TON in regard to this matter are public access and public safety.

SBPF: The Notice of Intent (NOI) public hearing before ConCom has been delayed. [Note: The hearing is scheduled to begin again on August 27 at 3:30 at the Sconset Casino.] Mr. Reinhard said that the SBPF has requested a meeting with the BOS in Executive Session to negotiate ROW issues for the TON.

Founders Burial Ground: Cemetery Commission met last Tuesday. A sign will be installed to identify this historic cemetery. An easement still has to be worked out. It is anticipated that there will be an article on the Warrant for ATM in April to establish official name for Nantucket's cemeteries. Mr. Stackpole mentioned that he is working with the Sheriff to secure funds for the signage.

RIGHT OF WAY IMPROVEMENT PLAN

The Committee engaged in extensive discussion about the ROW Improvement Plan, especially in regard to prioritizing some of the actions and/or combining others.

Some of the points raised included:

- map (#1 on Improvement Plan) should be a priority; this was started by former GIS Coordinator Hilliard Wood; pretty accurate, however a definitive map is needed; how to determine accuracy? how to accomplish? research in Registry of Deeds; #4, walking trails, could be on a version of the map made available to the public
- we need to define what can be done with private roads vs. what can be done with public roads, especially outside of the Town Overlay District; this issue needs further discussion
- \$4500 of supplemental funds are in the budget for development of the Improvement Plan
- Mr. Lowell suggested combining #7 (Require annual budget for maintenance and oversight of public ways, etc.) and #13 (Create Town/County Right of Way Coordinator position); it was agreed that “position” should be changed to “function” in #13, so that it would not necessarily mean a new personnel spot; Mr. Stackpole mentioned that monies for the maintenance of roads may be available from the Sanford Fund; this matter should be researched
- #12 (Create and fund full-time Town/County Surveyor/Engineer Position, etc.) and #14 (Establish a policy and procedure regarding utility cuts and crossings on public private roads, etc.) are being discussed by the Planning Office; it was noted that a new Road-Cut Policy and Regulations will be before the BOS soon; these will specifically address #14
- #15 (Develop descriptions and a set of maintenance standards for various classes of public and private roads, etc.); the response to the Planning Survey indicated that citizens supported the development of different standards for Town and Country roads; an overall policy needs to be developed; possible roles for the ROW Committee in this effort were discussed

In conclusion, it was agreed that Chairman Reinhard will go through the Improvement List and prepare a matrix outlining a To Do List, with a timeline for the next meeting. Meanwhile, Committee members will email any ideas, suggestions to Mr. Reinhard. [Note: A copy of the ROW Improvement Plan is affixed to the Minutes as Attachment 2.]

OTHER MATTERS

Committee Education: The suggestion was made by Ms. Atherton to invite local attorneys, such as Mr. Reade, who are knowledgeable about roads and rights-of-way to an upcoming Committee meeting for a discussion of such matters. This idea was enthusiastically received, and Mr. Reinhard will follow up.

Contact Information: The Committee members were asked to check the listing of contact information handed out by Mr. Reinhard for accuracy. Communications within the Committee will primarily be by email, however it was noted that information should be sent to Ms. O'Donnell by US Mail.

NEXT MEETING

Then next meeting of the Committee is tentatively scheduled for Tuesday (the third Tuesday of the month), September 18 at 4:00. Mr. Reinhard will confirm.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 5:25.

Respectfully submitted,

D. Anne Atherton
Secretary

daa/8.12.07

ATTACHMENTS (2): Mission Statement and Improvement Plan

ROW MISSION STATEMENT, Adopted August 7, 2007

The Mission of the Nantucket Town and County Roads and Right-of-Way Committee, formed in 1993 by combining the Proprietors Roads and Right-of-Way Committees, is to review and make recommendations to the Board of Selectmen/County Commissioners with respect to any and all issues concerning roads (public and private), right of ways, abutters ways, proprietors roads, footpaths, and public ways. The committee will make site visits, review deeds, and make appropriate recommendations.

Additionally, in cases where property owners file petitions in the Land Court for registrations, this committee, along with several other departments, will review the proposed plan, make site visits and provide written recommendation to the BOS/CC as to whether the Town or County may have an interest in the subject area, and may wish to file an objection to the petition with the Land Court.